



Town of Uxbridge
Zoning Board of Appeals
21 So. Main St.
Uxbridge, MA 01569
(508) 278-8603

DECISION
APPEAL OF DECISION FROM THE BUILDING / ZONING INSPECTOR

ZBA Case# FY08-26
Zone: Residence A
Property Location:
Street Address: 165 Crownshield Avenue, Uxbridge, MA
Town of Uxbridge Assessor's Map 29, Parcels 2965 & 2999
Worcester County District Registry of Deeds' Bk. 18515, Pg. 241
Applicant Name(s) / Owner Name(s): Scotland Yard Limited Liability Partnership
Hearing Date: Opened February 6, 2008 and reopened on March 5, 2008

The applicant / owner of record, Scotland Yard Limited Liability Partnership, has filed an Appeal from a Decision by the Town of Uxbridge Building Inspector asserting that a common driveways is not permitted, as proposed, on the property located 165 Crownshield Avenue in Uxbridge. The Building Inspector / Zoning Inspector declined to issue a building permit based on his determination of the application therefore was non-compliant with the Zoning Bylaws governing the property.

In the exercise of its discretionary powers, the Uxbridge Zoning Board of Appeals (Members: Thomas Bentley, Bruce Desilets and Mark Wickstrom) (hereafter, the "Board") voted unanimously to **DENY** the applicant's request to overturn the Building Inspector's Decision and voted to uphold said Decision.

SUBMITTALS

Application form and exhibits received and reviewed by the Board in this matter:

1. Zoning Board of Appeals Application for Hearing, Check List, and copy of \$300 filing fee check;
2. Copy of Appealed Decision: Building Inspector Gazerro's letter to Scotland Yard dated December 6, 2007 denying its building permit application;
3. Copy of December 21, 2007 Request for Abutters List and Copy of Abutters List Report provided by the Assessor's Office;
4. Detailed property information, including (a) Maps Online printout depicting subject parcel (Lot 2695) and
5. abutting parcel (Lot 2999), (b) Property Record Card, (c) deed, and (d) Zoning Map;

6. Copy of letter from Law Offices of Jeffrey L. Roelofs, P.C. to Building Inspector Gazerro dated October 26, 2007 – discussing the zoning freeze that applies to the land at issue in the appeal;
7. Copy of letter from Town's Attorney, Patrick Costello, dated November 21, 2007;
8. 11' x 17' reduced copy of Site Plan entitled "Site Plan, Ledgemere Country V, Lot 1V, Uxbridge, Massachusetts," dated September 20, 2007, depicting existing parcel and proposal;
9. Site Plan entitled "Site Plan Ledgemere Country V, Lot 1B, Uxbridge, Massachusetts," dated September 20, 2007 – with original Land Surveyor and Professional Engineer stamps within the original package to Board and remaining packages containing copies;
10. Detailed plans depicting elevation and other details of the proposed 8-plex building, revised through October 26, 2007 (Sheets A1-A6, A5B, A6B, A5C, AC6, A7-A13, S1-S10, D1-D4);
11. Letter from Attorney Jeffrey Roelofs to Town Clerk and ZBA dated January 4, 2008;
12. Correspondence from Attorney Jeffrey Roelofs to the ZBA dated February 6, 2008; and
13. Petition from residents of the Fafard Cotton Mill Condominiums to the ZBA dated March 5, 2008

Interdepartmental correspondence was received and reviewed as follows:

- correspondence from the ZBA Clerk to ZBA, dated March 5, 2008;
- correspondence from Director of P&ED to the Building Inspector, dated January 8, 2008

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Voting Board Members:

Mark Wickstrom

Thomas Bentley

Bruce Desilets

Appeals, if any, from this decision shall be made pursuant to M.G.L. Chapter 40 A, Section 17 and filed within 20 days after the date of the filing in the Office of the Town Clerk.

I hereby certify that twenty (20) days has elapsed from the file date and no appeal has been filed in this office.

A true copy: ATTEST

Town Clerk/Assistant Town Clerk

***YOU ARE REMINDED OF YOUR
RESPONSIBILITY TO RECORD THE
DECISION AT THE REGISTRY OF
DEEDS PER THE CERTIFICATE OF
GRANTING**

Town Seal